

# FULWIDER • PATTON

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## FACSIMILE TRANSMISSION

Date: December 17, 2004

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To: Ronald D. Hartman, Jr.  
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From: John K. Fitzgerald

Client/Matter: IVACP-65055

Re: Application No. 10/622,983  
Inventor: Joseph J. Engleson  
Filed: 7/18/2003

Number of pages (Incl. this page):

If You Do Not Receive All Pages, Please Call Monica Mandel at (310) 824-5555, Ext. 715

☐ Original to follow

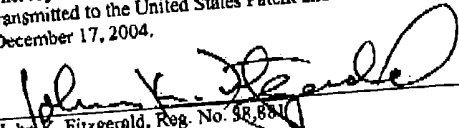
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### COMMENTS/MESSAGE:

Please see attached.

## CERTIFICATE OF TRANSMISSION

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John K. Fitzgerald, Reg. No. 58,864

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/622,983  
Applicant : Joseph J. Engleson  
Filed : 07/18/2003  
Art Unit : 2121  
Examiner : Ronald D. Hartman, Jr.  
Docket No.: : IVACP-65055  
Customer No. : 24201

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT OF AUTHORITY

Dear Sir:

This Statement is responsive to a telephonic request by the Examiner for clarification of the authorization of Stephanie Kroon, Senior Counsel for ALARIS Medical Systems, Inc. to sign the Terminal Disclaimer filed with the Office in the pending application on November 23, 2004.

Enclosed herewith is the cover page, and page 5 of the Minutes of the Joint Annual Meeting of the Board of Directors of ALARIS MEDICAL, INC. and ALARIS MEDICAL SYSTEMS, INC. of May 22, 2002 ("the Minutes") which specifically authorizes Ms. Kroon, as an attorney employed by the Companies, to execute documents such as a Terminal Disclaimer on behalf of the Companies. Confidential information

having no bearing on the authority vested in Ms. Kroon to execute documents on behalf of the Companies has been redacted from the Minutes.

Applicants respectfully submit that the Terminal Disclaimer filed on November 23, 2004 is thus proper.

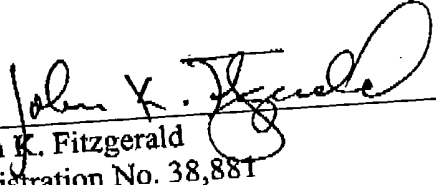
Should the Examiner have any questions concerning the above Statement, or any suggestions for placing the application in condition for allowance, Applicants request that the Examiner contact Applicant's attorney, John Fitzgerald, at 310-242-2667.

Please charge any additional fees payable in connection with this Statement to our Deposit Account No. 06-2425.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:

  
John K. Fitzgerald  
Registration No. 38,881

JKF:vmm

Enclosure

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**CONFIDENTIAL**

**MINUTES OF THE JOINT ANNUAL MEETING OF THE BOARD OF DIRECTORS**  
**of**  
**ALARIS MEDICAL, INC.**  
**and**  
**ALARIS MEDICAL SYSTEMS, INC.**

**May 22, 2002**

The joint annual meeting of the Board of Directors of ALARIS Medical, Inc. ("AM") and ALARIS Medical Systems, Inc. ("AMS") (respectively, the "AM Board" and "AMS Board"; collectively, the "Board") was held at the Harvard Club, New York, New York on May 22, 2002, beginning at 11 am.

The following directors of AM and AMS (collectively, the "Companies") were present:

Norman Dean, Chair  
Hank Brown  
Henry Green  
David Schlotterbeck  
Barry Shalov  
William Tumber

*REDACTED*

Mr. Dean served as Chair of the meeting and Stuart Rickerson served as Secretary of the meeting. The Chair called the meeting to order and announced that a quorum of directors was present and the meeting, having been duly convened, was ready to proceed with business.

*REDACTED*

7. DELEGATION OF AUTHORITY REGARDING INTELLECTUAL PROPERTY

After discussion, upon motion duly made and seconded, the Board unanimously approved the following resolutions:

**RESOLVED**, that any attorney then employed by the Companies, including, without limitation, its General Counsel, Assistant General Counsel or Intellectual Property Attorney be, and they hereby are, authorized, empowered and directed, on behalf the Companies and their subsidiaries and affiliated companies, to execute the following documents:

- Powers of Attorney, Certificates of merger, Certificates of name change and/or Authorizations of agent for domestic and foreign patent, trademark, copyright and other intellectual property matters;
- Requests for entry into national phase/stage for patent applications;
- U.S. and foreign trademark applications;
- Patent Convention Treaty powers of attorney and general powers of attorney;
- Declarations that title to patents, trademarks, copyrights, and other intellectual properties are held by the Companies;
- Declarations attesting to an ownership interest in patent, trademark, copyright and other intellectual property applications;
- Petitions and requests in the U.S. Patent and Trademark Office, U.S. Copyright Office and foreign patent, trademark and copyright offices to establish or preserve rights to patent, trademark, copyright, and other intellectual property applications, and issued patents, registered trademarks, and copyrights in the Companies; and
- Any other documents to be filed or recorded in the U.S. or foreign patent trademark and copyright offices to establish, preserve or maintain the patent, trademark copyright or other intellectual property rights of the Companies.

*REDACTED*